

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY	DOCUMENT
ELECTRONICALLY FILED	DOC #
DATE FILED	DEC 08 2017

HASSAN MUHAMMAD,

X Plaintiff,

-against-

CITY OF NEW YORK, Detective JOSE CHEVERE, Shield No. 1505; Sergeant TIMOTHY JAYCOX, Shield No. 4836; Detective JESUS RODRIGUEZ, Shield No. 4220; Detective ANTONIO ESPARRA, Shield No. 5963; Detective FRANK MONGE, Shield No. 4670; Sergeant MICHAEL LOPUZZO, shield No. 3261; Sergeant HECTOR FUENTES, Shield No. 02736; Detective BART SNYDER, Shield No. 4532; Correction Officer MILLER, Shield No. 8660; Captain BRAMWELL, Shield No. 360; and JOHN AND JANE DOE 1 through 10,

RULE 41(a)(1)(A)(ii)
STIPULATION OF
PARTIAL DISMISSAL
AND WITHDRAWAL
WITH PREJUDICE (ALL
CLAIMS AGAINST
JAYCOX, RODRIGUEZ,
ESPARRA, MONGE,
LOPUZZO, FUENTES,
SNYDER, MILLER, and
BRAMWELL)

17 CV 625 (AJN) (KNF)

Defendants.

X

WHEREAS, plaintiff commenced this action by filing a Complaint on or about January 26, 2017, and a Second Amended Complaint on November 13, 2017, alleging that defendants violated his federal civil and state common law rights; and

WHEREAS, defendants City Chevere, Jaycox, Rodriguez, Esparra, Monge, Lopuzzo, Fuentes, and Snyder have denied any and all liability arising out of plaintiff's allegations;

WHEREAS, the parties now desire to resolve certain issues raised in this litigation, without further proceedings and without admitting any fault or liability;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
and between the undersigned, pursuant to Rule 41(a)(1)(A)(ii), as follows:

1. All claims asserted against defendants Sergeant Timothy Jaycox, Detective Jesus Rodriguez, Detective Antonio Espanra, Detective Frank Monge, Sergeant Michael Lopizzo, Sergeant Hector Fuentes, retired Detective Bart Snyder, Correction Officer Miller, and Captain Bramwell are hereby dismissed with prejudice, and without costs, expenses or attorneys' fees to either party.
2. The clerk is hereby directed to amend the caption accordingly to remove Sergeant Timothy Jaycox, Detective Jesus Rodriguez, Detective Antonio Espanra, Detective Frank Monge, Sergeant Michael Lopizzo, Sergeant Hector Fuentes, retired Detective Bart Snyder, Correction Officer Miller, and Captain Bramwell as a defendants.

Dated: New York, New York
December 7, 2017

GABRIEL P. HARVIS, ESQ.
Attorney for plaintiff

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SO ORDERED:

HONORABLE ALISON J. NATHAN
United States District Judge